

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD TURAY, *et al.*,

Plaintiffs,

v.

HENRY RICHARDS, PhD., *et al.*

Defendants.

CASE NO. C91-0664RSM

ORDER RE: ANNUAL COMPLIANCE
HEARING ON JANUARY 13, 2006

On Monday, November 21, 2005, the Court held a telephone conference with counsel for the represented plaintiffs, defendants' counsel, and the *pro se* plaintiffs in this action. At that time, the Court requested information from the parties pertaining to the subject matters they would like to raise at the annual compliance hearing, currently scheduled for January 13, 2006, particularly in regard to any "backsliding issues" and whether defendants planned on moving to dissolve the remaining portion of the injunction.

In response, the Court received letters from John Phillips, counsel for the represented plaintiffs, Timothy Lang, counsel for defendants, and from Ronald Petersen, on behalf of the *pro se* plaintiffs. The Court is also in position of some 60 subpoenas from Mr. Petersen, that he would like served in conjunction with the January compliance hearing.

ORDER

1 Having reviewed all of these responses, the Court hereby ORDERS:

2 (1) The compliance hearing currently scheduled for January 13, 2006, at 1:30 p.m. shall
3 remain scheduled for that date and time. The scope of that compliance hearing will be limited to the
4 LRA, and issues related to occupancy, application for placement, and other related LRA topics.

5 (2) Also on January 13, 2006, defendants should be prepared to formally move to dissolve the
6 remaining portion of the injunction, which desire was expressed to the Court in Mr. Lang's December
7 1, 2005, letter. The Court will then set a briefing schedule and date for an evidentiary hearing
8 concerning any "backsliding" issues plaintiffs wish to raise, and other issues pertinent to the complete
9 dissolution of the injunction.

10 (3) As for Mr. Petersen's pending subpoenas, it has not been made clear to the Court which
11 potential witnesses, if any, will present testimony pertaining to the off-site LRA, its occupancy, or the
12 application process, or any other related LRA topics. Accordingly, the Court requests that Mr.
13 Petersen re-submit any proposed subpoenas solely related to the LRA and within the limited scope of
14 the January 13, 2006, compliance hearing. Mr. Petersen can then re-submit any subpoenas related to
15 "backsliding" issues once an evidentiary hearing has been set, and the scope of that hearing defined.

16 (4) The Clerk shall send a copy of this Order to *pro se* plaintiffs and all counsel of record.

17 DATED this 19 day of December, 2005.

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20 RICARDO S. MARTINEZ
21 UNITED STATES DISTRICT JUDGE
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26 ORDER